

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 28 (2020), CD1

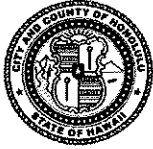
A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2020 to June 30, 2021 are hereby provided and appropriated for the purposes set forth in Section 2:

FUND CODE	SOURCE OF FUNDS	AMOUNT	TOTAL
FEDERAL FUNDS:			
FG	Federal Grants Fund	\$150,000,000	\$150,000,000
GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	\$220,833,047	\$220,833,047
TRANSIT FUND:			
TR	Transit Fund	\$333,430,852	\$333,430,852
TOTAL ALL FUNDS			\$704,263,899



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SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2020 to June 30, 2021 are appropriated as indicated to the following projects and public improvements in the UTILITIES OR OTHER ENTERPRISES function. Nothing in this section shall be construed as restricting the allocation of monies among the work phase appropriations (e.g., planning, design, and construction).

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
<u>UTILITIES OR OTHER ENTERPRISES</u>				
MASS TRANSIT				
<u>HONOLULU AUTHORITY FOR RAPID TRANSPORTATION</u>				
2007005	HONOLULU HIGH CAPACITY TRANSIT PROJECT	129,373,906 L	150,000,000 FG	704,263,899
		4,609,410 P	220,833,047 TF	
	Plan, design, construct, inspect, relocate, and acquire land,	3,526,090 D	333,430,852 TR	
	equipment, and artwork for the Locally Preferred Alternative.	381,944,205 C		
		0 I		
		0 E		
		0 R		
		184,097,663 X		
		712,625 A		
TOTAL UTILITIES OR OTHER ENTERPRISES		\$704,263,899	\$704,263,899	\$704,263,899

UTILITIES OR OTHER ENTERPRISES

SOURCE OF FUNDS

FG Federal Grants Fund	\$150,000,000
TF Transit Improvement Bond Fund	220,833,047
TR Transit Fund	333,430,852

TOTAL SOURCE OF FUNDS	<u>\$704,263,899</u>
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WORK PHASE

L Land	\$129,373,906
P Planning	4,609,410
D Design	3,526,090
C Construction	381,944,205
I Inspection	0
E Equipment	0
R Relocation	0
X Other	184,097,663
A Art	712,625

TOTAL WORK PHASES	<u>\$704,263,899</u>
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SECTION 3. General Provisos.

(a) As used in this ordinance:

"Authority" means the Honolulu Authority for Rapid Transportation.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the State government, the government of any other state, any political subdivision of any state, or any quasi-governmental entity.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency; (2) any private source including monetary gifts whose use is specified by the donor; or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

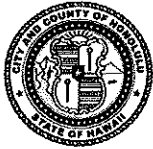
All such monies specified in Section 2 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Section 2 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

The Authority shall report to the Council no later than 30 days after June 30 detailing, for the capital budget fiscal year just ended, the amount of any excess monies received, and the function, program, and project to which the monies have been allotted for expenditure.

(c) At the close of the each quarter, the Authority shall submit to the Council a Statement of Cash Balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period, the cash balance at the end of the period.

(d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2020 to June 30, 2021 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2022.

(e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.



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(f) Except for the expenditure of limited purpose monies pursuant to subsection (b), no monies shall be expended by the Authority for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the Council.

(g) The project number is included for accounting purposes only. If there is a conflict between the number and the project title in this ordinance, the project title shall prevail.

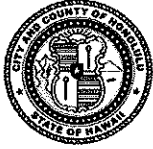
(h) In Section 2 of this ordinance, if there is a conflict between the work phases set forth in the narrative description of a project and the work phases set forth in the work phase column for the project, the work phases set forth in the work phase column shall prevail.

SECTION 4. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2020 to June 30, 2021, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2021, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by any amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Honolulu Authority for Rapid Transportation Operating Budget ordinance, or Honolulu Authority for Rapid Transportation Capital Budget ordinance. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendments shall prevail.

SECTION 5. HART Project Adjustment Account.

The funds provided from the HART Project Adjustments Account may be expended for any excess in contract price(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for land acquisition, planning, design, construction, inspection, relocation, equipment, artwork, and miscellaneous costs. The Council's approval by resolution is required when the cumulative sum provided to a project from the Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount.

Whenever a project's contract is executed for an amount less than the project's appropriation, only that amount that is excess within that phase shall be transferred to the Project Adjustments Account. The Authority shall report all transactions to or from the account to the Council within 30 days from the date the transfer was approved.



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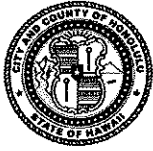
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SECTION 6. Notwithstanding SECTION 3 of Ordinance 18-39, as amended by Ordinance 19-25, no more than \$26,000,000 of City revenues, including but not limited to proceeds from the issuance and sale of City general obligation bonds, is appropriated and may be expended in the Capital Budget ordinance for the Honolulu Authority for Rapid Transportation for the costs of the Honolulu High Capacity Transit Project.

SECTION 7. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



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SECTION 8. This ordinance takes effect on July 1, 2020.

INTRODUCED BY:

Ikaika Anderson (br)

DATE OF INTRODUCTION

March 2, 2020
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY

Deputy Corporation Counsel

APPROVED this ____ day of _____, 2020

KIRK CALDWELL, Mayor
City and County of Honolulu



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AMENDMENTS TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET

CD1 Amendments = Plain Text

<u>FUNCTION/PROGRAM/PROJECT</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>PH</u>	<u>AMOUNT</u>	<u>FD</u>
UTILITIES OR OTHER ENTERPRISES					
MASS TRANSIT					
<u>Honolulu Authority for Rapid Transportation</u>					
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	Add funds and amend sources of funding	26,000,000	L	55,569,148 (29,569,148)	TF TR

SECTION 6.

Add a new SECTION 6 to read as follows:

"SECTION 6. Notwithstanding SECTION 3 of Ordinance 18-39, as amended by Ordinance 19-25, no more than \$26,000,000 of City revenues, including but not limited to proceeds from the issuance and sale of City general obligation bonds, is appropriated and may be expended in the Capital Budget ordinance for the Honolulu Authority for Rapid Transportation for the costs of the Honolulu High Capacity Transit Project."

SECTION 7.

Add a new SECTION 7 to read as follows:

"SECTION 7. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance."

Renumber subsequent SECTIONS accordingly.

- END OF BILL -